

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENISE N. INGRAM,

Defendant.

No. 09-30138-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Defendant Denise N. Ingram's Motion to Continue Trial (Doc. 15). Defendant Ingram argues that she needs additional time to prepare for trial as the discovery in this case is several hundred pages and it can only be viewed in counsel's office and can not be provided directly to Defendant, which requires additional time for Defendant and her counsel to jointly review the discovery. Further, Defendant notes that the parties are currently engaged in plea negotiations and need additional time to conduct negotiations. The Government has no objection to the continuance. Based on the reasons in the motion, the Court finds that the trial should be continued in order to allow Defendant additional time to prepare for trial and engage in plea negotiations. To force a Defendant to trial without adequate time to prepare would constitute a miscarriage of justice. Further, the Court finds that pursuant to **18 U.S.C. § 3161(h)(7)(A)** the ends of justice served by the granting of such a continuance outweigh the best interests of the public and Defendant in a speedy trial. Further, forcing the parties to trial on a case

that appears to have great potential to resolve amicably would be a great miscarriage of justice.

Accordingly, the Court **GRANTS** Defendant Ingram's motion to continue trial (Doc. 15). The Court **CONTINUES** the trial currently scheduled for December 7, 2009 until **February 16, 2010 at 9:00 a.m.** Further, the time from the date this motion was filed, November 24, 2009, until the date on which the trial is rescheduled, February 16, 2010, is excludable for purposes of a speedy trial.

Should either party believe that a witness will be required to travel on the Justice Prisoner and Alien Transportation System (JPATS) in order to testify at the trial of this case, a writ should be requested at least two months in advance.

IT IS SO ORDERED.

Signed this 30th day of November, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**